

### § 1090.3

#### § 1090.3 Use of TOFC/COFC service by motor and water carriers.

(a) Except as otherwise prohibited by these rules, motor and water common and contract carriers may use rail TOFC/COFC service in the preformance of all or any portion of their authorized service.

(b) Motor and water common carriers may use rail TOFC/COFC service only if their tariff publications give notice that such service may be used at their option, but that the right is reserved to the user of their services to direct that

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in any particular instance TOFC/COFC service not be used.

(c) Motor and water contract carriers may use rail TOFC/COFC service only if their transportation contracts and tariffs (for water carriers) make appropriate provisions therefor.

(d) Tariffs of motor and water common or water contract carriers providing for the use of rail TOFC/COFC service shall set forth the points between which TOFC/COFC service may be used.

[52 FR 27811, July 24, 1987]

## SUBCHAPTER B—RULES OF PRACTICE

### Parts 1100–1129—Rules of General Applicability

#### PART 1100—GENERAL PROVISIONS

Sec.

1100.1 Scope of rules.

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1100.3 Liberal construction.

1100.4 Information and inquiries.

AUTHORITY: 49 U.S.C. 721.

SOURCE: 47 FR 49548, Nov. 1, 1982, unless otherwise noted.

#### § 1100.1 Scope of rules.

These rules govern practice and procedure before the Surface Transportation Board under title 49, subtitle IV of the United States Code (49 U.S.C. 10101 *et seq.*). This subchapter will be referred to as the “Rules of Practice”.

#### § 1100.2 Applicability.

The rules in parts 1100–1129, Rules of General Applicability, establish general rules applicable to all types of proceedings. Other rules in this subchapter establish special rules applicable to particular types of proceedings. When there is a conflict or inconsistency between a rule of general applicability and a special rule, the special rule will govern.

[47 FR 49548, Nov. 1, 1982, as amended at 50 FR 30275, July 25, 1985]

#### § 1100.3 Liberal construction.

The rules will be construed liberally to secure just, speedy and inexpensive determination of the issues presented.

#### § 1100.4 Information and inquiries.

Persons with questions concerning these rules should either send a written inquiry addressed to the Secretary, Surface Transportation Board or should telephone the Secretary’s Office.

[64 FR 53267, Oct. 1, 1999]

### PART 1101—DEFINITIONS AND CONSTRUCTION

Sec.

1101.1 Statutory definitions.

1101.2 Definitions applicable to this subchapter.

1101.3 Construction.

AUTHORITY: 49 U.S.C. 721.

SOURCE: 47 FR 49548, Nov. 1, 1982, unless otherwise noted.

#### § 1101.1 Statutory definitions.

The definitions contained in section 10102 of the Act (49 U.S.C. 10102) apply in this chapter.

#### § 1101.2 Definitions applicable to this subchapter.

(a) *Act* or *Interstate Commerce Act* means subtitle IV of title 49 of the United States Code (49 U.S.C. 10101 *et seq.*).